

Remarks

The Applicants note the objection to numerous of the drawings and the Examiner's helpful comments concerning suggested changes. Those suggested changes are essentially set forth in three separate items. In that regard, the Applicants note that the first suggestion with respect to changing structure which indicates an immovable divergent trailing edge fixed to the internal wall of the engine is now moot in view of changes to Claims 15 and 29 discussed below.

The Applicants submit new Figs. 4, 5, and 9 – 11 in accordance with the Examiner's helpful suggestion with respect to "a casing." That casing has been labeled with Reference No. 100 and an accompanying lead line. Entry into the official file and consideration on the merits is respectfully requested. The Specification has also been amended in Paragraph [0023] to account for the reference to the casing and its labeling with Reference No. 100.

The Applicants have cancelled Claims 18 and 19, thereby rendering the further objection to Figs. 4 and 5 moot.

The Applicants respectfully submit that the drawings are now proper and in accordance with the claims and the Specification. Withdrawal of the objection of the drawings is respectfully requested.

The Applicants note the objection to the Specification with respect to the terms "fixed" and "immovable." The Applicants have accordingly added amended Claims 15 and 29 into the Summary portion of the Specification to provide proper antecedent basis. Withdrawal of the objection to the Specification is respectfully requested.

The Applicants note the rejection of Claims 15 – 29 under 35 U.S.C. §112 and the Examiner's helpful and detailed comments in an attempt to clarify those claims and place them into the proper condition with respect to §112. The Applicants have amended both of Claims 15 and 29 with those suggestions in mind. Accordingly, Claim 15 now recites a divergent trailing edge on an internal wall of the nozzle and in a fixed position with respect to the internal wall of the nozzle, the divergent trailing edge diverging from a central axis extending along the jet engine and generating conditions of a minimal separation of the primary jet from the internal wall. This structure can be seen in Fig. 5, for example.

Claim 15 is further been amended to recite a primary jet controller fixed to the internal wall of the nozzle and/or an external wall of the nozzle relative to the primary jet that controls passage of the primary jet from a separated state to a reattached state, and vice versa. This structure may be seen in Figs. 5, 7, 8, 9 and 10, for example. The Applicants respectfully submit that Claim 15 is now fully in compliance with §112.

Claim 29 has been amended to recite an immovable divergent trailing edge on an internal wall of the nozzle that diverges from a central axis extending through the jet engine and is fixed to the internal wall of the nozzle. Claim 29 has further been amended to recite a primary jet controller positioned at least partially on the divergent trailing edge and/or at least partially on the internal wall of the nozzle upstream of the divergent trailing edge that controls passage of the primary jet from a separated state to a reattached state, and vice versa. Support for the fact that the primary jet controller may be positioned at least partially on the divergent trailing edge may be found in Figs. 2 and 3 versa 2 to 3, 9 and 10, for example. Similarly, support for the primary jet controller being at least partially on the internal wall of the nozzle upstream and the divergent trailing edge may be found in Figs. 2, 3, 4 and 5, for example.

In view of the amendments to Claims 15 and 29, the Applicants respectfully submit that they are now fully in conformance with §112.

The Applicants note with appreciation the indication that Claims 17 – 22 would be allowable if rewritten in independent form and to overcome the rejection under §112. The Applicants respectfully submit that those claims are now allowable and the base claim upon which they depend, namely Claim 15, is now in compliance with §112. The Applicants reserve the right to amend Claims 17 – 22 into independent form at a later time.

The Applicants note the rejection of Claims 15 – 16 and 23 – 29 under 35 U.S.C. §102 as being anticipated by McAndrews. The Applicants note with particular appreciation the Examiner's detailed comments hypothetically applying McAndrews to the claims and the most helpful illustration of Fig. 1 from McAndrews in the Official Action. The Applicants respectfully submit that all of the rejected claims are neither explicitly nor implicitly disclosed by McAndrews for the reasons set forth in detail below.

As noted above, Claim 15 recites that the primary jet controller is fixed to the internal wall of the nozzle and/or an external wall of the nozzle relative to the primary jet that controls the passage of the primary jet from a separated state to a reattached state and vice versa. The Applicants respectfully submit that McAndrews fails to disclose this. In that regard, the Applicants emphasize the fact that Claim 15 specifically states that the primary jet controller is “fixed to” the internal wall of the nozzle or “fixed to” an external wall of the nozzle. This is sharply different from McAndrews wherein the Flap 42 is not fixed to the internal wall of the nozzle, but is actually part of the internal wall of the nozzle. The Applicants respectfully submit that these are two different things.

In other words, the Applicants’ structure contains an internal wall structure and further contains a primary jet controller fixed to the internal wall. These are different structures sharply different from McAndrews wherein the so called “controller” is actually part of the wall of the nozzle. As a consequence, the Applicants respectfully submit that the structure disclosed by McAndrews is sharply different from the structure recited in Claim 15. Thus, McAndrews fails to disclose, either explicitly or implicitly, every aspect of Claim 15 and is therefore not anticipatory of Claim 15. Withdrawal of the rejection as it applies to Claim 15 and the rejected claims depending there from is respectfully requested.

Claim 29 is also not anticipated by McAndrews. In that regard, the Applicants note that Claim 29 recites a primary jet controller position at least partially on the divergent trailing edge. McAndrews fails to disclose this. Instead, at best, McAndrews discloses a “controller” completely downstream of the divergent trailing edge. In fact, those skilled in the art would consider the “controller” of McAndrews, to the extent that it could be in any way be considered to be a controller, forms part of a converging surface.

Claim 29 also recites a primary jet controller positioned at least partially on the internal wall of the nozzle upstream of the divergent trailing edge. Again, McAndrews discloses a “controller” that is downstream of the divergent trailing edge. Accordingly, McAndrews is completely inapplicable to Claim 29. Withdrawal of the rejection of Claim 29 is also respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



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